



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Branch (1145b)  
8800 Glacier Highway  
Suite 106B  
Juneau, Alaska 99801-8079

PUBLIC NOTICE DATE: March 10, 2005

EXPIRATION DATE: April 10, 2005

REFERENCE NUMBER: POA-2004-1445-2

WATERWAY NUMBER: Gastineau Channel

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Mr. Hugh Noel Grant, 5165 Glacier Highway, Juneau, Alaska 99801-9516.

LOCATION: The project is located in the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  section 15, T. 41 S., R. 67 E., Copper River Meridian, Latitude 58°18'49"N., Longitude 134°26'38"W, at approximately mile marker 1.5 on Glacier Highway in Juneau, Alaska.

WORK: Applicant proposes to discharge approximately 950 cubic yards of shot rock, 500 cubic yards of minus 4-inch rock, and 1,750 cubic yards of common borrow fill material into 0.34 acre (15,000 square feet) of waters of the United States. The minus 4-inch rock would be for a filter mat and the shot rock would be used for a rockery retaining wall that would extend for 420 feet on the outer edge (meander line) of an earth embankment. The work would involve the excavation of less than 500 cubic yards of material between the high tide line (20.8 feet elevation above the 0.0 foot contour) and above the mean high water (MHW) line (15.33 feet above the 0.0 foot contour) for the installation of a rockery wall and a manhole. Less than 5 cubic yards of material would be dredged from below the MHW line for the installation of an 18-inch metal stormwater outfall pipe that would extend 6 feet channelward of the MHW line. All excavated material would be placed on the upland and clean imported granular fill would be placed over the outfall pipe back to preconstruction contours below the MHW line.

PURPOSE: The general purpose of the project is to construct residential housing. Specifically, the project would allow for site grading and drainage for the construction of three multi-family housing units on a 2.53-acre parcel of land.

ADDITIONAL INFORMATION: Further information about the proposed work may be obtained from the applicant's agent, Mr. Malcolm Menzies, R&M Engineering, Inc., 6295 Glacier Highway, Juneau, Alaska 99801-7906; phone number (907) 780-4611.

MITIGATION: None

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened

wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Jeff Koschak at

(907) 790-4490, or by email at [Jeffrey.a.Koschak@poa02.usace.army.mil](mailto:Jeffrey.a.Koschak@poa02.usace.army.mil) if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States -  
Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States -  
Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

( ) Transport dredged material for the purpose of dumping it into ocean waters -  
Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). Therefore, our public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

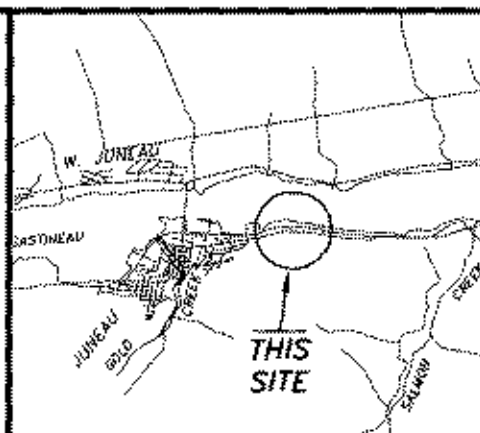
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

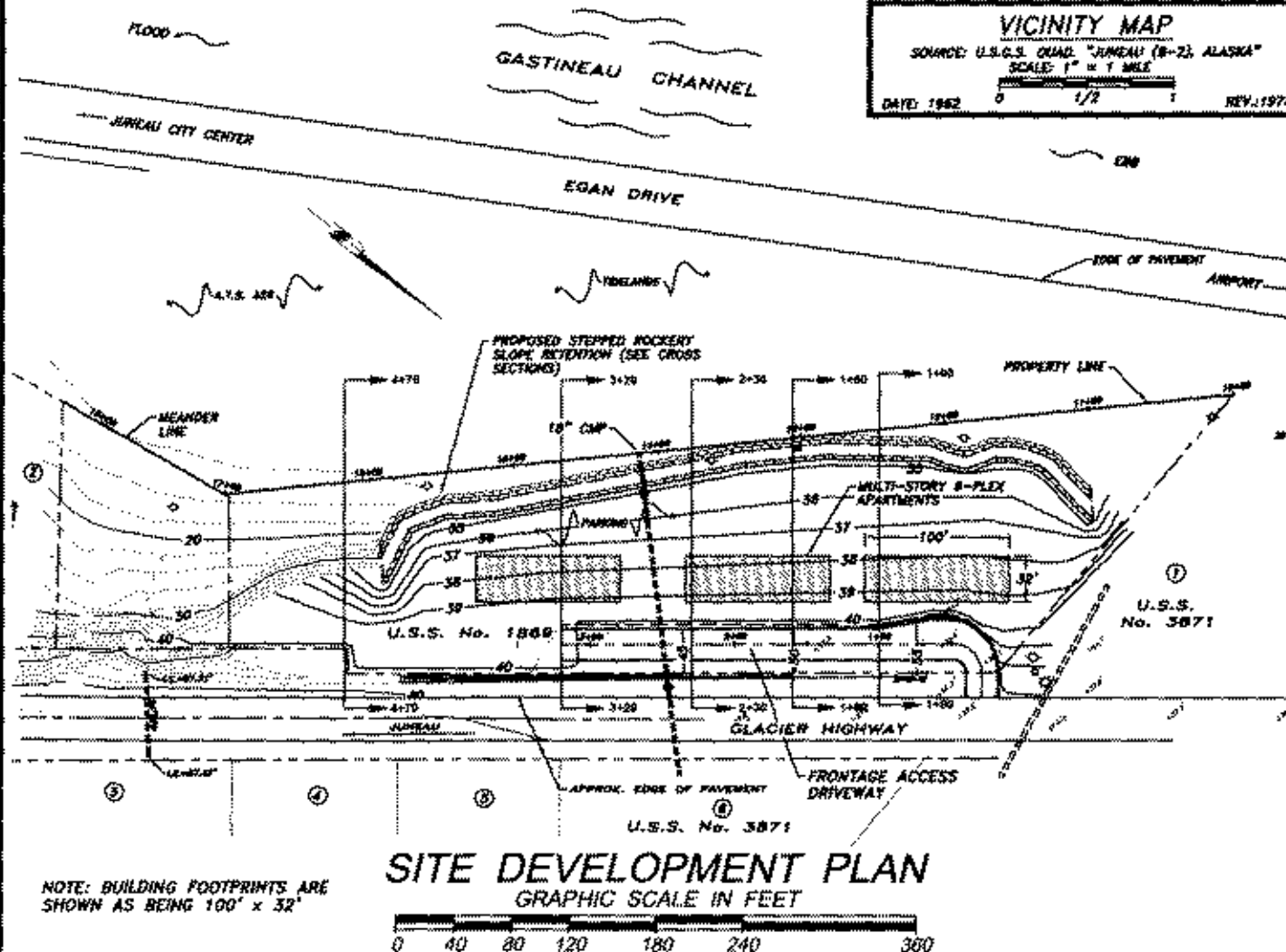
Attachments

DESCRIPTION:  
FR. OF U.S.S. No. 1869, BELOW GLACIER HWY.

LAND AREA 2.53 AC.  
ZONING D-10  
ALLOWABLE BUILDING UNIT AREA 6,000 s.f./UNIT  
No. OF ALLOWABLE UNITS 18



VICINITY MAP  
SOURCE: U.S.G.S. QUAD "JUNEAU (8-2), ALASKA"  
SCALE: 1" = 1 MILE  
DATE: 1962 1/2 REV. 1974



#### TIDAL DATUMS

JUNEAU, GASTINEAU CHANNEL, STEPHENS PASS  
LAT. 58°17.9'N LONG. 134°24.9'W  
U.S.G.S. QUAD: JUNEAU 8-2 (1985)

HIGHEST OBSERVED WATER LEVEL (5/16/84) 24.3'  
HIGH TIDE LINE (NTL) 20.8'  
MEAN HIGHER HIGH WATER (MHHW) 18.3'  
MEAN HIGH WATER (MHW) 15.33'  
MEAN TIDE LEVEL (MTL) 5.5'  
MEAN LOW WATER (MLW) 1.6'  
MEAN LOWER LOW WATER (MLLW) 0.00'  
LOWEST OBSERVED WATER LEVEL (5/15/84) -5.5'

#### SHEET INDEX

SHT.	DESCRIPTION
1	SITE DEVELOPMENT PLAN, LOCATION MAP
2	SITE TOPOGRAPHY & SOILS TEST HOLE LOCATIONS
3	CROSS SECTIONS
4	ROCKERY WALL DETAIL
5	ENLARGED TOE OF SLOPE-SECTION

#### PROPOSED APARTMENT UNIT SITE DEVELOPMENT PLAN VIEW WITH SITE GRADING

WITHIN U.S.S. No. 1869  
IN: JUNEAU, ALASKA  
AT: MILE 2 GLACIER HIGHWAY  
APPLICANT: HUGH GRANT  
5165 GLACIER HIGHWAY  
JUNEAU, ALASKA 99801  
REV. DATE: 2-7-05 SHEET 1 OF 5

# WINNIE HILL SUBDIVISION SOIL AUGER REPORT

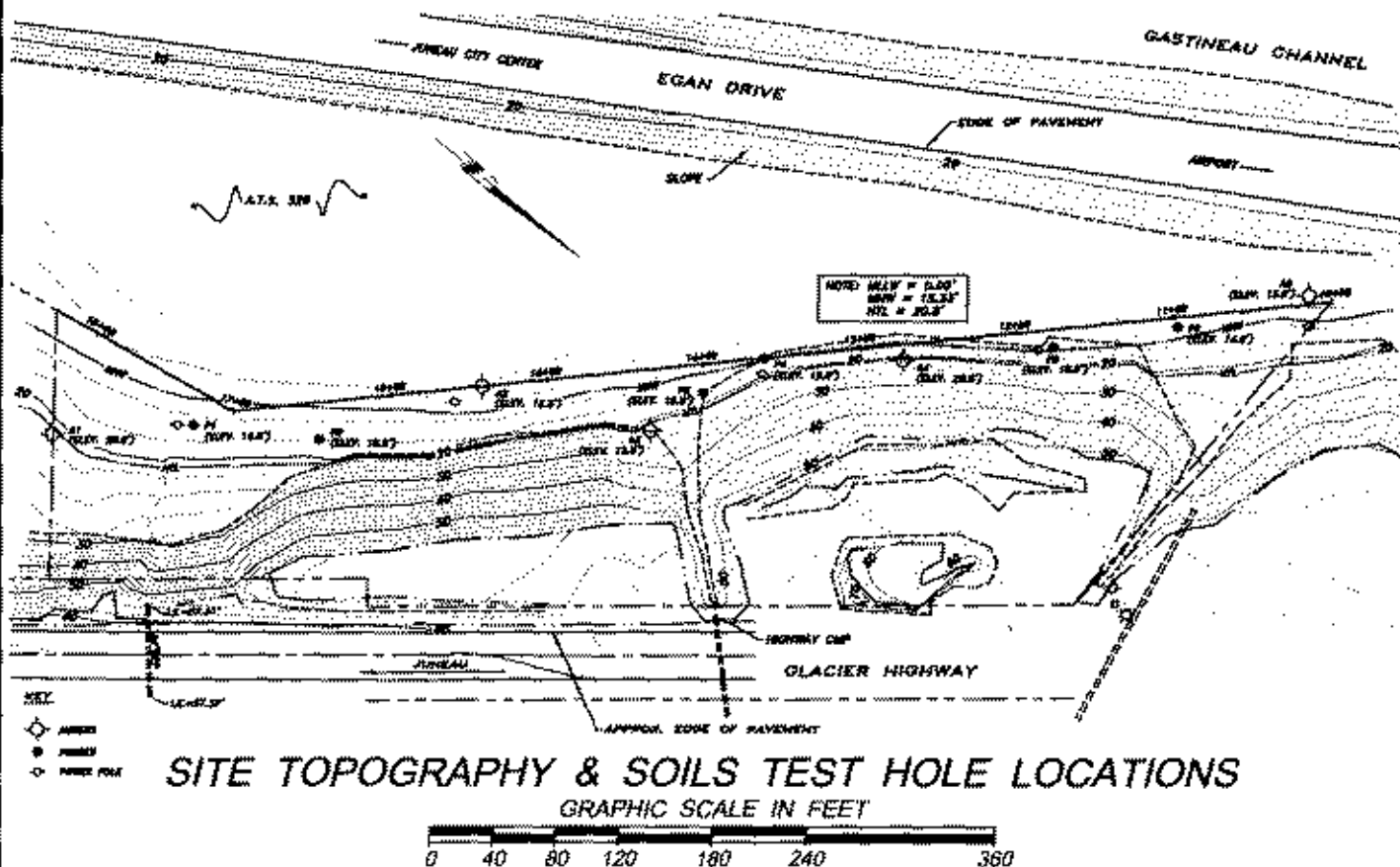
PROBES DEPTHS TO 48 INCHES OR TO REFUSAL, WHICHEVER OCCURRED FIRST. ALL MEASUREMENTS ARE INCHES FROM GROUND SURFACE.

AUGER No.	ORGANIC DEBRIS	ORGANIC SILT	SAND	BROWN SANDY SILT	GREY SANDY SILT TO SILTY SAND (GLACIOMARINE)	COMMENTS
A1		0-6"		6-18"	18-48"	GLACIOMARINE DEPOSITS CONTAIN MINOR SMALL PEBBLES, MINOR ROCK DEBRIS ON SURFACE
A2					0-48"	EASY AUGERING UNTIL 12", THEN MUCH MORE DIFFICULT TO PENETRATE; GRASS ON SURFACE
A3		0-6"		6-48"		ROCK DEBRIS ON SURFACE IN GENERAL VICINITY
A4	0-12"			12-48"		ABUNDANT ROCK AND ORGANIC DEBRIS ON SURFACE
A5			0-2"	2-30"	30-48"	LEVEL TERRAIN WITH GRASS ON SURFACE

# WINNIE HILL SUBDIVISION PROBE REPORT

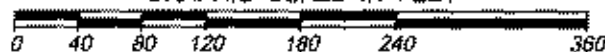
ALL MEASUREMENTS ARE INCHES FROM GROUND SURFACE

PROBE No.	DEPTH TO REFUSAL	COMMENTS
P1	41"	OPEN AREA, GRASS ON SURFACE; BROWN SANDY SILT OBSERVED ON AUGER
P2	18"	ABUNDANT ROCK AND WOOD DEBRIS ON SURFACE, SLOPE DEBRIS LIKELY IMPEDING FURTHER PENETRATION
P3	48"	LOCATION ADJACENT A LARGE GULLY WITH ABUNDANT ROCK AND ORGANIC DEBRIS IN AREA
P4	34"	GREY SANDY SILT OBSERVED ON AUGER; ABUNDANT LARGE ROCK DEBRIS IN AREA
P5	26"	ABUNDANT ROCK DEBRIS ON SURFACE
P6	23"	OPEN AREA, GRASS ON SURFACE



## SITE TOPOGRAPHY & SOILS TEST HOLE LOCATIONS

GRAPHIC SCALE IN FEET



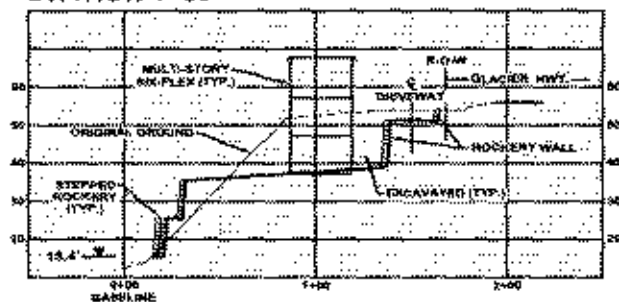
EXISTING CONTOURS &  
SOILS BORING LOCATIONS

SHEET INDEX	
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1	SITE DEVELOPMENT PLAN, LOCATION MAP
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3	CROSS SECTIONS
4	ROCKERY WALL DETAIL
5	ENLARGED TOE OF SLOPE-SECTION

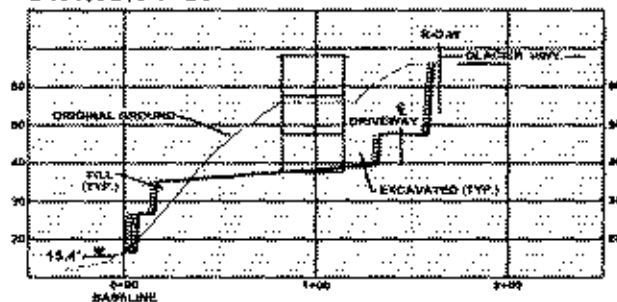
PROPOSED APARTMENT UNIT  
SITE DEVELOPMENT  
SITE TOPOGRAPHY & SOILS DATA  
WITHIN U.S.S. No. 1869  
IN: JUNEAU, ALASKA  
AT: MILE 2 GLACIER HIGHWAY  
APPLICANT: HUGH GRANT  
5165 GLACIER HIGHWAY  
JUNEAU, ALASKA 99801  
REV. DATE: 2-7-05 SHEET 2 OF 5  
R&M PROJ.: 041332

REVISED: 12-15-04

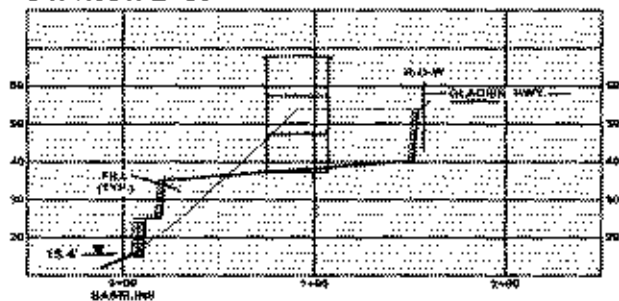
STATION 1+00



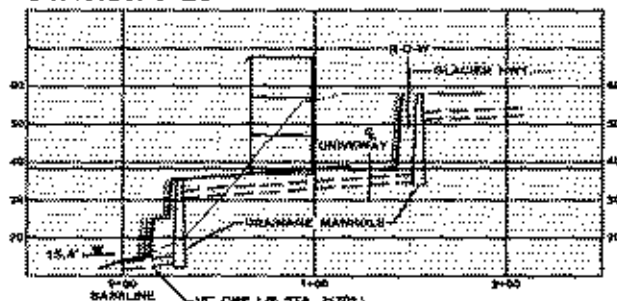
STATION 1+60



STATION 2+30



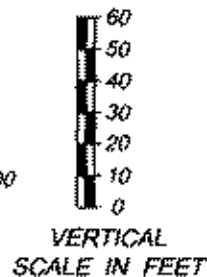
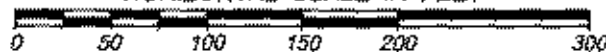
STATION 3+20



BEGINNING ROCKERY WALL AT  
ELEVATION OF PROPERTY LINE

## SITE CROSS SECTIONS

HORIZONTAL SCALE IN FEET



ROCKERY & CROSS  
SECTION DETAILS

SHEET INDEX	
SHT.	DESCRIPTION
1	SITE DEVELOPMENT PLAN, LOCATION MAP
2	SITE TOPOGRAPHY & SOILS TEST HOLE LOCATIONS
3	CROSS SECTIONS
4	ROCKERY WALL DETAIL
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PROPOSED APARTMENT UNIT  
SITE DEVELOPMENT

X-SECTION VIEW

WITHIN U.S.S. No. 1869

IN: JUNEAU, ALASKA

AT: MILE 2 GLACIER HIGHWAY

APPLICANT: HUGH GRANT

5165 GLACIER HIGHWAY

JUNEAU, ALASKA 99801

REV. DATE: 2-7-05 SHEET 3 OF 5

R&M PROJ.: 041332

REVISED: 12-13-04

# ROCKERY WALL NOTES:

THE LONG DIMENSION OF THE ROCKS SHALL EXTEND INTO THE EARTH TO PROVIDE MAXIMUM STABILITY.

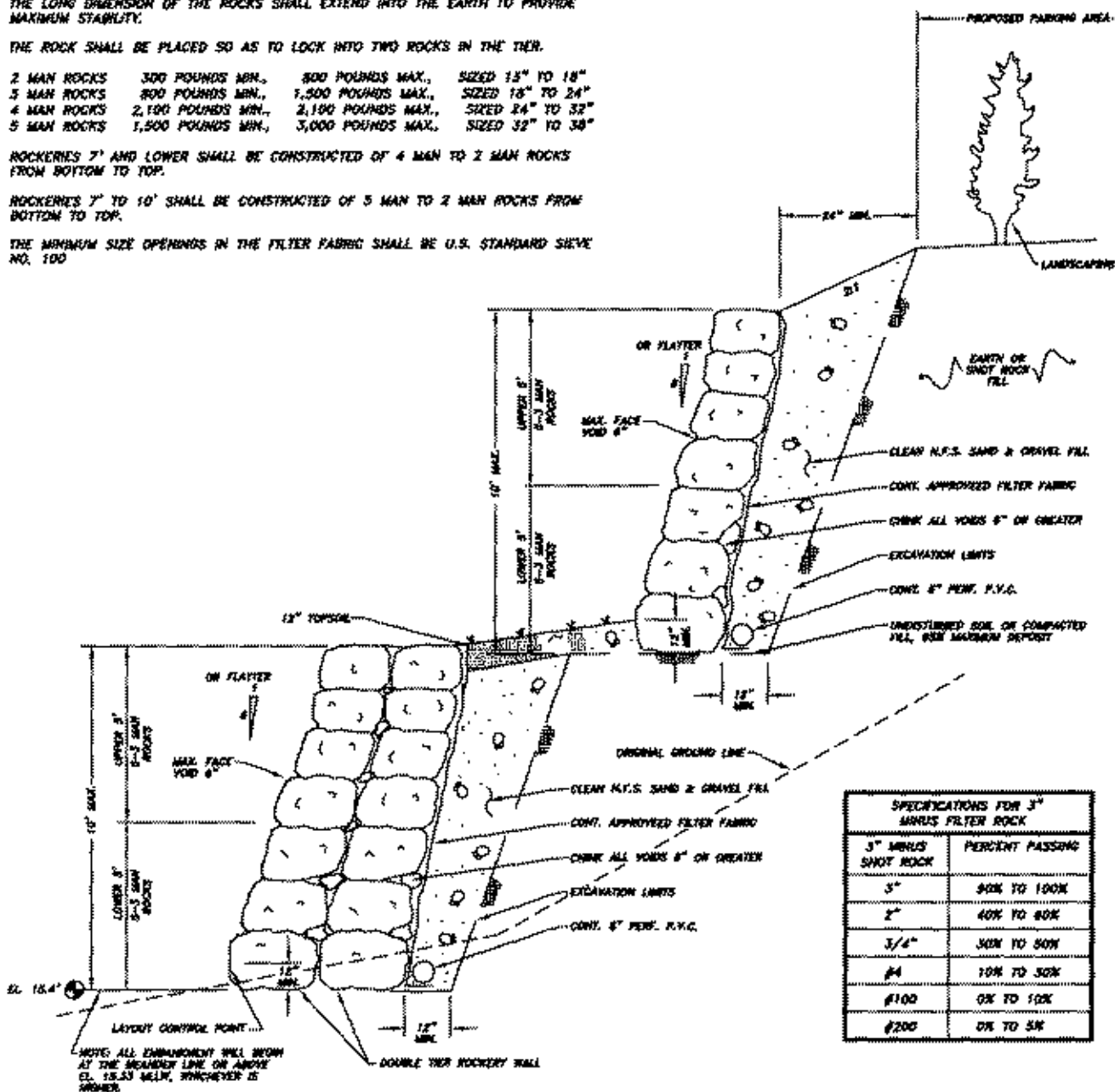
THE ROCK SHALL BE PLACED SO AS TO LOCK INTO TWO ROCKS IN THE TIER.

2 MAN ROCKS	300 POUNDS MIN.,	800 POUNDS MAX.,	SIZED 12" TO 18"
3 MAN ROCKS	800 POUNDS MIN.,	1,500 POUNDS MAX.,	SIZED 18" TO 24"
4 MAN ROCKS	2,100 POUNDS MIN.,	2,100 POUNDS MAX.,	SIZED 24" TO 32"
5 MAN ROCKS	1,500 POUNDS MIN.,	3,000 POUNDS MAX.,	SIZED 32" TO 38"

ROCKERIES 7' AND LOWER SHALL BE CONSTRUCTED OF 4 MAN TO 2 MAN ROCKS FROM BOTTOM TO TOP.

ROCKERIES 7' TO 10' SHALL BE CONSTRUCTED OF 5 MAN TO 2 MAN ROCKS FROM BOTTOM TO TOP.

THE MINIMUM SIZE OPENINGS IN THE FILTER FABRIC SHALL BE U.S. STANDARD SIEVE NO. 100



## ROCKERY WALL DETAIL

- NO SCALE -

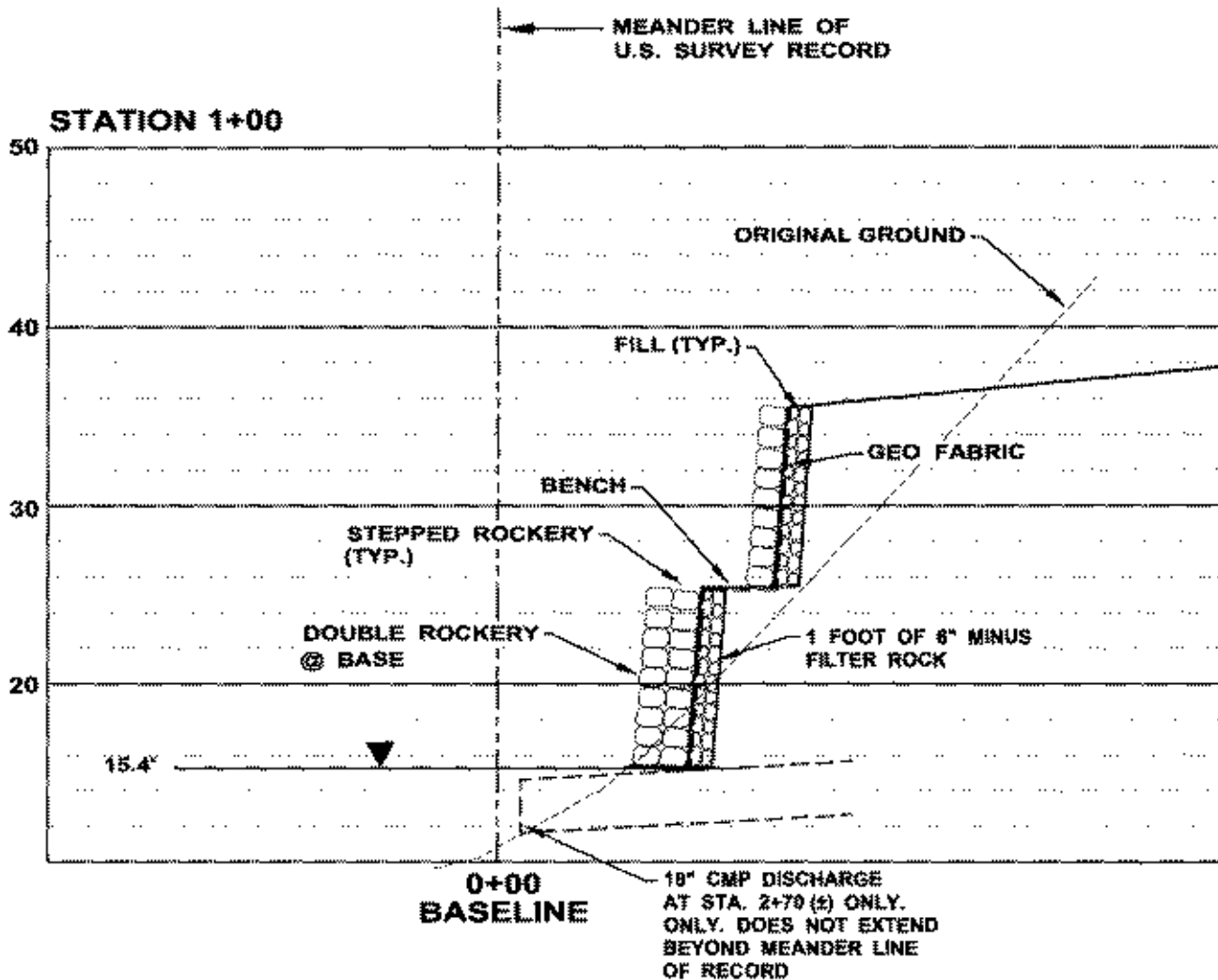
SPECIFICATIONS FOR 3" MARIUS FILTER ROCK	
3" MARIUS SHOT ROCK	PERCENT PASSING
5"	90% TO 100%
2"	40% TO 80%
3/4"	30% TO 50%
#4	10% TO 30%
#100	0% TO 10%
#200	0% TO 5%

### ROCKERY DETAIL AT MEANDER LINE

SHEET INDEX	
SHT.	DESCRIPTION
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3	CROSS SECTIONS
4	ROCKERY WALL DETAIL
5	ENLARGED TOE OF SLOPE-SECTION

PROPOSED APARTMENT UNIT  
SITE DEVELOPMENT  
EARTH RETENTION/SLOPE  
DETAIL @ MEANDER LINE  
WITHIN U.S.S. No. 1869  
IN: JUNEAU, ALASKA  
AT: MILE 2 GLACIER HIGHWAY  
APPLICANT: HUGH GRANT  
5165 GLACIER HIGHWAY  
JUNEAU, ALASKA 99801  
REV. DATE: 2-7-05 SHEET 4 OF 5  
R&M PROJ.: 041332





## ENLARGED TOE OF SLOPE

HORIZONTAL SCALE IN FEET



VERTICAL  
SCALE IN FEET

ENLARGED TOE OF SLOPE  
CROSS-SECTION DETAILS

SHEET INDEX	
SHT.	DESCRIPTION
1	SITE DEVELOPMENT PLAN, LOCATION MAP
2	SITE TOPOGRAPHY & SOILS TEST HOLE LOCATIONS
3	CROSS SECTIONS
4	ROCKERY WALL DETAIL
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PROPOSED APARTMENT UNIT  
SITE DEVELOPMENT

ENLARGED X-SECTION VIEW

WITHIN U.S.S. No. 1869

IN: JUNEAU, ALASKA

AT: MILE 2 GLACIER HIGHWAY

APPLICANT: HUGH GRANT

5165 GLACIER HIGHWAY

JUNEAU, ALASKA 99801

REV. DATE: 2-7-05 SHEET 5 OF 5

R&M PROJ.: 041332

FRANK H. MURKOWSKI, GOVERNOR

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET  
DIVISION OF GOVERNMENTAL COORDINATION

CENTRAL OFFICE  
P.O. BOX 110030  
JUNEAU, ALASKA 99811-0030  
PHONE: (907) 465-3562/FAX: (907) 465-3075

NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. POA-2004-1445-4 (Gastineau Channel), will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting (OPMP). For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the OPMP web site at <http://www.dnr.state.ak.us/opmp/>

Attachment 1

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF AIR AND WATER QUALITY

Non-Point Source Control Section

401 Certification Program

## NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2004-1445-4 (Gastineau Channel), serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation  
WQM/401 Certification  
410 Willoughby Avenue  
Juneau, Alaska 99801-1795  
Telephone: (907) 465-5321  
FAX: (907) 465-5274

Attachment 2